

**GENERAL COUNCIL
MEETING OF 28 JULY 2009**

The following matters were considered by the General Council:

1. **Report by the Chairman of the Trade Negotiations Committee (TNC):** The Director-General made a report (circulated in JOB(09)/86) on the activities of the TNC since his last report in May, saying *inter alia* that there seemed to be unanimous agreement on the urgent need to translate renewed political re-engagement into tangible progress in the negotiations with "all hands on deck", and that bilateral engagement should not be a reason for slowing or holding up the multilateral process. He also reported on his consultations on GI [geographical indications] extension and the relationship between the TRIPS [trade-related aspects of intellectual property rights] Agreement and the CBD [Convention on Biological Diversity], which had concentrated on technical questions in order to help Members understand their respective interests and concerns. While gaps remained, they were better defined. However, there was still no agreement on a range of both procedural and substantive issues. Given the continued support for his consultations on these issues, provided there was adequate transparency, he would continue the process along the same lines. In the light of requests from Members and in the interests of transparency, he had agreed to make available the text of his informal report on these consultations (available at www.wto.org), with the strong caveat that it was only an informal impression of the process.

2. **Work Programme on Small Economies: Work Programme on Small Economies:** The Chair of the Dedicated Session of the Committee on Trade and Development (CTD), reporting on developments in this area since the May Council, said the Dedicated Session had met formally on 15 July 2009 and had considered an updated version of the Secretariat compilation document (WT/COMTD/SE/W/22/Rev.3 and Corr.1) containing all proposals made on the treatment of SVEs in the various negotiating groups and other WTO bodies, their reflection in the different draft modalities and negotiating texts, and any decisions taken thus far on SVE [small vulnerable economies] issues. He had also reported on work done to identify the scope and possible repercussions of the economic crisis on the SVEs, as requested by Members in November 2008. In this regard, the SVE proponents had communicated their concerns to the Secretariat's Economic Crisis Task Force, which had taken them into consideration when preparing the Director-General's monitoring reports to the TPRB [Trade Policy Review Body], including the latest one issued on 1 July 2009. Barbados, on behalf of the SVEs, said they would continue to liaise with the Task Force to ensure that their views were taken on board, and that they had been active in the area of Aid for Trade, where there were a number of issues of critical importance to SVEs.

3. **Transparency for preferential trade arrangements:** The Chairman of the Committee on Trade and Development (CTD), reporting on its consideration of this matter, said that while there had been considerable work on the proponents' draft text and good progress on this matter, there were still a number of outstanding issues to settle and it was clear that more time was required before the CTD could come to a decision. The CTD had therefore agreed to request that the General Council allow it until December 2009 to consider the matter further and report back for appropriate action. The Council agreed to the request.

4. **Aid for Trade – Second Global Review:** the Director-General reported on this event (circulated in JOB(09)/87) which had taken place at the WTO on 6-7 July, saying *inter alia* that it had been successful in taking stock of overall progress since the launch of the initiative in 2005, and in highlighting the need for additional and substantive commitments from donors. Several key issues were identified as priorities for future work: the need to reinforce the regional dimension of aid for trade, to maintain momentum on commitments post 2010, to enhance the role of the private sector, and to focus attention on evaluating the impact of aid for trade interventions in developing countries.

In sum, the Review provided a clear roadmap of work on Aid for Trade under the leadership of the CTD. A number of delegations spoke, including the Minister from Zambia.

5. **Non-recognition of Rights under Article XXIV:6 and Article XXVIII of the GATT 1994:**

The Chairman, reporting on his consultations on this matter on 27 July, said that while there had been little substantive development overall since the May Council, the consultations had proved useful in clarifying both the current state-of-play and its ramifications, as well as the steps intended to be taken in the coming weeks towards a resolution to the concerns of the delegations involved. Following statements by Honduras, Guatemala, Peru, Colombia, Ecuador, Panama, Mexico, the Dominican Republic and the EC, the Council agreed to revert to this matter at its next meeting.

6. **Seventh Session of the Ministerial Conference:** the Chairman reported on his consultations on preparations for the Seventh Session, including an informal HODs [heads of delegations] meeting on 22 July at which he had made a statement (Job(09)/81) setting out the areas in which greater clarity or convergence had emerged. All delegations seemed to have shown willingness to temper ambition with realism, and good progress had been made towards putting the ministerial on a solid consensual foundation. He would of course be continuing his consultations on the preparation of the Ministerial Conference in the autumn. The representative of India introduced its communication in WT/GC/W/605 containing **proposals for systemic improvements of the WTO**, on which a number of delegations commented, generally lauding India's initiative, but saying the proposals, while interesting, needed further examination.

7. **Committee on Balance-of-Payments Restrictions:** following an introduction by the Committee Chair, the Council adopted the reports on the consultations with Ecuador and with Ukraine, and adopted the draft decision on participation in the Committee. The delegations of Ecuador, Ukraine, the EC and Japan spoke.

8. **Waivers under Article IX of the WTO Agreement:** On the basis of the consideration of this request in the Council for Trade in Goods, the General Council agreed to grant Cape Verde a waiver on the implementation of its scheduled commitments and concessions. The Council also conducted a review of five multi-year waivers pursuant to Article IX:4 of the WTO Agreement.

9. **Committee on Budget, Finance and Administration:** Following the Budget Committee Chair's introduction of the Committee's report and recommendation following its meeting of July 2009 (WT/BFA/111), the Council approved the Committee's specific recommendation in paragraph 19 and adopted the report.

10. **WTO Pension Plan:** following a statement by the Chairman of the Pension Plan, the Council adopted the amendments to the regulations of the Pension Plan contained in document WT/GC/W/606, increasing the normal retirement age to 65 for new entrants, and increasing the overall rate of contribution to the Plan. The United States spoke.

The following matters were considered under "Other Business":

11. On the **accession of developing countries**, Gabon (for the Informal Group of Developing Countries), said the Group intended to request that this matter be made a standing item on the Council's agenda, in order to keep Members informed of the progress, or lack thereof, in the various accession working parties. Tanzania (for the least-developed countries - LDCs), Egypt (for the African Group), and two observer Governments (Iran and Ethiopia) spoke.

12. On **Chairmanships of Working Parties on Accession**, the Chairman informed the Council that following consultations, it had been agreed that: Amb. Peter Black (Jamaica) would serve as Chair of the Working Party on the Accession of the **Bahamas**; and Ms Hilda Al-Hinai (Oman) would

serve as Chair of the Working Party on the Accession of the **Seychelles**, replacing Amb. Berthet (Uruguay).

13. **Administrative Measures for Members in Arrears:** As required under the revised Administrative Measures approved by the General Council in May 2006, the Chair of the Budget Committee informed the Council of the Members that were under Administrative Measures in Categories II – IV. Also as required under the revised Administrative Measures, the General Council Chair requested Members in Categories III and IV of the Measures to inform him, before the next meeting of the Council, as to when their payment of arrears might be expected. In keeping with the Administrative Measures, the Chairman will report on Members' responses to the next Council.
